

HOUSE BILL NO. 208

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES GUTTENBERG, Dahlstrom

Introduced: 3/7/05

Referred: House Special Committee on Military and Veterans' Affairs, State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act authorizing the Department of Military and Veterans' Affairs to establish and
2 maintain an Alaskan veterans' cemetery; and establishing the Alaska veterans' cemetery
3 fund in the general fund."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 28.10.421(d)(16) is amended to read:

6 (16) special request plates commemorating Alaska veterans \$100
7 plus a fee of \$35 and the fee required for that vehicle under (b)(1) or (2) of this
8 section; the \$100 fee required by this paragraph shall be collected only on the first
9 issuance of and the replacement of the commemorative veterans' plates; the \$35 fee
10 required by this paragraph shall be collected biennially in the same manner as the fee
11 required under (b)(1) or (2) of this section; the commissioner of administration shall
12 separately account for the fees received under this paragraph that the department
13 deposits in the general fund; notwithstanding (g) of this section, the annual estimated
14 balance in the account that is in excess of the cost of issuing special request plates may

1 be appropriated by the legislature to the Alaska veterans' cemetery fund created
 2 under AS 37.05.590 [FOR THE SUPPORT OF PROGRAMS BENEFITING
 3 ALASKA VETERANS].

4 * **Sec. 2.** AS 37.05 is amended by adding a new section to article 6 to read:

5 **Sec. 37.05.590. Alaska veterans' cemetery fund.** (a) There is created as a
 6 special account in the general fund the Alaska veterans' cemetery fund into which
 7 shall be deposited appropriations to the Alaska veterans' cemetery fund.

8 (b) Beginning with the appropriations for the fiscal year beginning July 1,
 9 2005, on an annual basis and under AS 37.07 (Executive Budget Act), the legislature
 10 may appropriate amounts from the Alaska veterans' cemetery fund to the Department
 11 of Military and Veterans' Affairs for the construction, operation, and maintenance of
 12 the Alaska veterans' cemetery established under AS 44.35.035.

13 (c) Appropriations to the Alaska veterans' cemetery fund are not one-year
 14 appropriations and do not lapse under AS 37.25.010.

15 (d) The unexpended and unobligated balance of an appropriation from the
 16 Alaska veterans' cemetery fund lapses into the Alaska veterans' cemetery fund at the
 17 end of the fiscal year for which it was appropriated.

18 (e) Nothing in this section exempts money deposited into the Alaska veterans'
 19 cemetery fund from the requirements of AS 37.07 (Executive Budget Act) or dedicates
 20 that money for a specific purpose.

21 * **Sec. 3.** AS 44.35 is amended by adding a new section to read:

22 **Sec. 44.35.035. Alaska veterans' cemetery.** (a) The department shall
 23 establish and maintain an Alaska veterans' cemetery in Fairbanks to serve state
 24 veterans and spouses and eligible dependents of state veterans.

25 (b) The department may accept gifts, donations, and grants, including land,
 26 under AS 26.10.030 for the purpose of establishing and maintaining the Alaska
 27 veterans' cemetery. Land received by the department for the Alaska veterans'
 28 cemetery shall be owned by the state.

29 (c) The department shall
 30 (1) adopt regulations for determining individuals eligible for burial in
 31 the Alaska veterans' cemetery;

1 (2) receive the plot or interment allowance on behalf of the state under
2 38 U.S.C. 2303;

3 (3) comply with all requirements for a state veterans' cemetery grant
4 established by the United States Department of Veterans Affairs under 38 U.S.C.
5 2408; and

6 (4) apply to the United States Department of Veterans Affairs for state
7 veterans' cemetery grants under 38 U.S.C. 2408.

8 (d) The department may

9 (1) adopt regulations necessary to administer the Alaska veterans'
10 cemetery;

11 (2) enter into agreements for the maintenance and operation of the
12 Alaska veterans' cemetery with political subdivisions of the Alaska and other persons;
13 and

14 (3) solicit gifts, donations, and grants in addition to the state veterans'
15 cemetery grants in (c) of this section that may be designated for the establishment and
16 maintenance of the Alaska veterans' cemetery and received by the department under
17 AS 26.10.030.

18 (e) In this section, "department" means the Department of Military and
19 Veterans' Affairs.